



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SORRELLS *et al.*

Appl. No.: 09/525,615

Filed: March 14, 2000

For: **Method, System and Apparatus
for Balanced Frequency Up-
Conversion of a Baseband Signal
and 4-Phase Receiver and
Transceiver**

Confirmation No.: 7843

Art Unit: 2631

Examiner: Phu, Phuong M.

Atty. Docket: 1744.0450003

Third Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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Sir:

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Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on November 23, 2003 in connection with the above-captioned application.

Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

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not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants provide the following comments regarding the documents:

Documents AH55, AI55, AN59 were cited in Office Actions in related U.S. Patent Appl. No. 09/567,977, filed May 10, 2000, entitled, "Optical Down-converter Using Universal Frequency Translation Technology," directed to related subject matter.

Documents AL23, AA56-AD56, and AO59 were cited in an Office Action in related U.S. Patent Application No. 09/669,634, filed September 26, 2000, entitled "High Frequency Translator and Method of High Frequency Translation," directed to related subject matter. Also cited in said Office Action were U.S. Patent Nos. 6,049,706; 6,421,534; and 6,560,301, which have already been cited in the present application.

This statement should not be construed as a representation that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing of a first Office Action. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date

of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☒ 6. A concise explanation of the relevance of non-English language document AL23 appears below:
Document AL23 (DE 196 48 915 A1) appears to describe a process of frequency conversion. An English-language translation of document AL23 is enclosed as document AO59.
- ☒ 7. Copies of the documents are enclosed.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



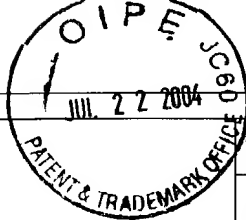
Jeffrey T. Helvey
Attorney for Applicants
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Date: 7/22/04

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FORM PTO-1449

THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.

1744.0450003

APPLICATION NO.

09/525,615

INVENTORS

SORRELLS *et al.*

FILING DATE

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH55	6,608,647 B1	08/2003	King			
	AI55	6,031,217	02/2000	Aswell <i>et al.</i>			

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL23	DE 196 48 915 A1	06/1998	DE			Yes (Doc. AO59)
	AM						Yes No

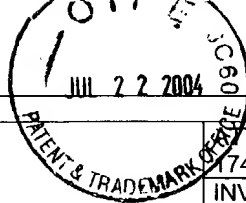
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AN	<u>59</u>	Simoni, A. <i>et al.</i> , "A Single-Chip Optical Sensor with Analog Memory for Motion Detection," <i>IEEE Journal of Solid-State Circuits</i> , IEEE, Vol. 30, No. 7, pp. 800-806 (July 1995).
	AO	<u>59</u>	English Translation of German Patent Publication No. DE 196 48 915 A1, 10 pages.
	AP		
	AQ		
	AR		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



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THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

PRIORITY DOCKET NO.

1744.0450003

APPLICATION NO.

09/525,615

INVENTORS

SORRELLS *et al.*

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ART UNIT

2631

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA56	5,955,992	09/1999	Shattil			
	AB56	5,999,561	12/1999	Naden <i>et al.</i>			
	AC56	6,686,879 B2	02/2004	Shattil			
	AD56	5,345,239	09/1994	Madni <i>et al.</i>			
	AE						
	AF						
	AG						
	AH						
	AI						

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL						Yes No
	AM						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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